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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,783	10/17/2000	Keith E. Moore	10003895-1	3635

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HA, LEYNNA A

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 07/14/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/691,783

Applicant(s)

MOORE ET AL.

Examiner

LEYNNA T. HA

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 1-19 have been examined and are under 35 U.S.C. 102(e).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. ***Claims rejected under 35 U.S.C. 102(e) as being anticipated by Wright, et al. (US 6,084,969).***

As per claim 1:

Wright, et al. disclose a method for a sender to send an encrypted message to an authorized recipient, the method having steps comprising:

creating an encrypted content message **[COL.9, lines 22-23]** that may be decrypted using a content decryption key that is unknown to the authorized recipient; **[COL.12, lines 5-7; since decryption involves the server's private key and the sender's public key and does not use the recipients' key to decrypt the content, thereby the decryption key is not disclosed or known to the recipient.]**

creating an encrypted authentication message **[COL.9, lines 49-55]** that may be decrypted using a recipient's key **[COL.12, lines 8-13 and COL.13, lines 16-27; the recipient is the destination pager.]** wherein the recipient's key is known to the authorized recipient but unknown to others except perhaps known to the sender; **[COL.13, lines 4-9; it is inherent the key that belongs or known to the destination pager is the one able to decrypt the authentication message and not anyone else.]**

fixing the encrypted authentication message and the encrypted content message onto a tangible medium and thereafter permitting the authorized recipient to obtain the tangible medium; **[COL.13, lines 35-39]**

if a valid reply has been received, wherein the valid reply is based upon the decrypted authentication message, then allowing the authorized recipient to obtain said content decryption key. **[COL.14, lines 50-53]**

As per claim 2: See col.13, lines 6-7; discussing the recipient's key is a secret key that is shared between the sender and the recipient.

As per claim 3: See col.13, lines 22-23; discussing the recipient's key is a recipient's private key that is associated with a recipient's public key.

As per claim 4: See col.13, lines 16-26; discusses creating an encrypted authentication message further comprises a step of sender authentication encryption such that the authorized recipient may use a sender's key for decryption of the authentication message thereby authenticating that the sender was the source of the encrypted authentication message, such that the

sender's key is known to the authorized recipient, and such that the encrypted authentication message may be decrypted with a decryption step employing said recipient's key and with another decryption step employing said sender's key.

As per claim 5: See col.7, lines 63-64 and col.10, lines 3-5; discussing the sender's key is a secret key that is shared between the sender and the authorized recipient but unknown to others.

As per claim 6: See col.9, lines 51-54; discussing the sender's key is a public key that is associated with a sender's private key.

As per claim 7: See col.13, lines 16-26; discussing creating an encrypted content message further comprises a step of sender authentication encryption such that the authorized recipient may use a sender's key for decryption of the encrypted content message thereby authenticating that the sender was the source of the encrypted content message, such that the sender's key is known by the authorized recipient, and such that the encrypted content message may be decrypted by a decryption method with a step employing the recipient's key and with another step employing the sender's key.

As per claim 8: See col.7, lines 63-64 and col.10, lines 3-5; discussing the sender's key is a secret key that is shared between the sender and the authorized recipient but unknown to others.

As per claim 9: See col.9, lines 51-54; discussing the sender's key is a public key that is associated with a sender's private key.

As per claim 10:

Wright discloses an article of manufacture for sending an encrypted message from a sender who possesses a content decryption key to a recipient who possesses a recipient's key, the article, comprising

a tangible medium; **[COL.6, lines 42-45]**

an encrypted content message fixed on said tangible medium **[COL.6, lines 36-40]**, wherein said encrypted content message may be decrypted using the content decryption key; **[COL.9, lines 22-23 and COL.10, lines 24-28]**

an encrypted authentication message fixed on said tangible medium, wherein said encrypted authentication message may be decrypted using the recipient's key; **[COL.14, lines 34-35]**

whereby after the article is delivered to the recipient the recipient may use the recipient's key to decrypt said encrypted authentication message into a decrypted authentication message **[COL.13, lines 20-40]**, the recipient may use the decrypted authentication message to send a valid reply to the sender confirming that the recipient received said article and the sender may then allow the recipient to obtain the content decryption key. **[COL.12, lines 52-59 and COL.14, lines 50-53]**

As per claim 11: See col.7, lines 63-64 and col.10, lines 3-5; discussing the recipient's key is a secret key that is shared between the sender and the recipient.

As per claim 12: See col.13, lines 22-23; discussing the recipient's key is a recipient's private key that is associated with a recipient's public key.

As per claim 13: See col.9, lines 51-54 and col.14, lines 34-35; discussing encrypted authentication message is sender authentication encrypted such that said encrypted authentication message may be decrypted by a decryption method having a step employing the recipient's key and having another step employing a sender's key such that the recipient may use the sender's key to authenticate that the sender was the source of said tangible medium.

As per claim 14: See col.7, lines 63-64 and col.10, lines 3-5; discussing the sender's key is a secret key that is shared between the sender and the authorized recipient but unknown to others.

As per claim 15: See col.9, lines 51-54; discussing the sender's key is a public key that is associated with a sender's private key.

As per claim 16: See col.9, lines 51-54 and col.14, lines 34-35; discussing encrypted content message is sender authentication encrypted such that said encrypted content message may be decrypted by a decryption method having a step employing the recipient's key and having another step employing a sender's key such that the recipient may use the sender's key to authenticate that the sender was the source of said tangible medium.

As per claim 17: See col.7, lines 63-64 and col.10, lines 3-5; discussing the sender's key is a secret key that is shared between the sender and the authorized recipient but unknown to others.

As per claim 18: See col.9, lines 51-54; discussing the sender's key is a public key that is associated with a sender's private key.

As per claim 19:

A method for an authorized recipient to receive an encrypted message from a sender, the method having steps comprising:

receiving a tangible medium from the sender wherein the tangible medium has fixed upon it an encrypted authentication message and an encrypted content message; **[COL.12, lines 52-59]**

using a recipient's key to decrypt the encrypted authentication message into a decrypted authentication message **[COL.13, lines 20-40]**, wherein the recipient's key is known to the authorized recipient but unknown to others except perhaps known to the sender; **[COL.13, lines 4-9; it is inherent the key that belongs or known to the destination pager is the one able to decrypt the authentication message and not anyone else.]**

creating a valid reply using the decrypted authentication message;

sending the valid reply to the sender; **[COL.14, line 51]**

if the recipient has received a content decryption key from the sender, then using the content decryption key to decrypt the encrypted content message.

[COL.14, lines 31-53]

*****For more details on the rejections above, please refer to Wright, et al. on COL.4, line 7...Et. SEQ.**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEYNNA T. HA whose telephone number is (703) 305-3853. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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